

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

DONALD C. HUTCHINS,

Plaintiff,

Civil Action No. 04-30126-MAP

v.

CARDIAC SCIENCE, INC.,

Defendant.

[PROPOSED] ORDER

This matter was heard upon Defendant Cardiac Science, Inc.'s Motion for Summary Judgment. Based upon the motion papers submitted, the arguments of counsel at the hearing, and the files, records, and proceedings herein, IT IS HEREBY ORDERED that Cardiac Science, Inc.'s Motion is GRANTED.

The Court hereby orders:

1. Plaintiff's copyright infringement claims are DISMISSED WITH PREJUDICE;
2. Plaintiff's patent infringement claims are DISMISSED WITH PREJUDICE;
3. Plaintiff's abuse of process claim is DISMISSED WITH PREJUDICE; and
4. Plaintiff's tortious interference with contract claim is DISMISSED WITH PREJUDICE.

IT IS SO ORDERED.

Dated: _____

The Honorable Michael A. Ponsor
United States District Court Judge